

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 564 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE N.N.MATHUR

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

EDULJI ARDESHWAR KAKALIA

Versus

HARISHBHAI THAKORBHAI RANA

Appearance:

MR RN SHAH for Petitioners

MR AD DESAI for Respondent No. 1

CORAM : MR.JUSTICE N.N.MATHUR

Date of decision: 02/03/98

ORAL JUDGEMENT

R U L E. Mr A D Desai, learned Advocate waives service of Rule for respondent No.1.

Heard the learned Advocates for the parties. Considering the facts and circumstances of the case, the impugned order passed by the learned Extra Assistant Judge, Navsari dated 25th March 1997 as contained in sub-para

(5) of para 11 sending the respondent Mr K Variawa to Civil prison for three months for disobedience and breach of injunction is quashed and set aside. However, rest of the order does not require any interference by this Court. It is reported that in view of the pendency of the Revision Application, the trial court has not proceeded with the suit. In view of this, it is directed that the trial court shall dispose of the suit within three months from today.

Rule made absolute to the aforesaid extent.

2.3.98 [N N Mathur, J]

msh.